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\*\*E-filed 3/1/07\*\*

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

10 UNITED STATES OF AMERICA, ) No. CR 06-00095 JF  
11 Plaintiff, )  
12 v. ) **STIPULATION TO CONTINUE  
13 HEARING AND EXCLUDE TIME;  
14 [PROPOSED] ORDER**  
15 FRANCISCO JAVIER ALCAZAR, )  
Defendant. )

## STIPULATION

17       Defendant and the government, through their respective counsel, hereby stipulate that,  
18       subject to the court's approval, the hearing in the above-captioned matter, presently scheduled for  
19       Wednesday, March 14, 2007, at 9:00 a.m., be continued to Wednesday, March 28, 2007, at 9:00  
20       a.m. The continuance is requested to allow time for the defense to conduct additional  
21       investigation with respect to Mr. Alcazar's criminal history, and to allow time for defense  
22       counsel to discuss settlement with her client. Additionally, this matter was recently reassigned  
23       within the Federal Public Defender's Office, and defense counsel will be out of the country from  
24       February 27, 2007 to March 13, 2007.

25 The parties further agree that time should be excluded under the Speedy Trial Act until  
26 the next hearing of this matter for continuity of counsel and because the parties require time for

STIPULATION TO CONTINUE  
HEARING DATE; [PROPOSED] ORDER  
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1 investigation and preparation, so that the ends of justice outweigh the defendants' and the  
2 public's need for a speedy trial.

3 Dated: 2/23/07 \_\_\_\_\_/s/  
4 \_\_\_\_\_  
5 LARA S. VENNARD  
Assistant Federal Public Defender  
Attorney for Michael Crawford

6 Dated: 2/23/07 \_\_\_\_\_/s/  
7 \_\_\_\_\_  
8 RICHARD C. CHENG  
Assistant United States Attorney

9 **ORDER**

10 The parties have requested a continuance of the hearing set for March 14, 2007, on  
11 grounds that the defense requires additional time for investigation and preparation, and defense  
12 counsel will be out of town until mid-March.

13 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date  
14 presently set for March 14, 2007, at 9:00 a.m., be continued to March 28, 2007, at 9:00 a.m.

15 Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time  
16 from March 214, 2007, to March 28, 2007, shall be excluded from the period of time within  
17 which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

18  
19 Dated: 3/1/07 \_\_\_\_\_  
20 \_\_\_\_\_  
21 JEREMY FOGEL  
22 United States District Judge  
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